IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 2246 of 2005

Between:

Kadapa District Scavenger Workers Women Association Premises No.14-215, Dastagiripet, Proddatur, Kadapa District, represented by its President-Smt S. Vasanthamma.

..... PETITIONERS

AND

1. The Commissioner, A.P. Vydya Vidhana Parishad, Kendriya Sadan, Sultan Bazar, Hyderabad.
2. The District Coordinator & Superintendent District Head Quarter Hospital, Kadapa, Kadapa District.
3. The Medical Superintendent, Area Hospital, Andhra Pradesh Vydya Vidhana Parishad, Proddatur, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the respondents in not entrusting the sanitation work to the members of the petitioners society without participating in the tenders pursuant to G.O.Ms.No.30 M.A. Municipal Administration and Urban Development (G2) Department dated 18-1-2000 is as arbitrary, illegal, contrary to law and without any justified reasons and in violation of Article 14, 19(1)(g) and 21 of the constitution of India ad

consequently direct the respondents to entrust the sanitation work to the members of the petition Society in pursuance of G.O.Ms.No.30 M.A. Municipal Administration and Urban Development (G2) Department dated 18-1-2000.

Counsel for the petitioners: SRI S. VEERIAH.

Counsel for the respondents: Mr. K.L.N.Swamy. SC for the respondents.

The Court at the admission stage made the following :

ORDER:

The petitioner-Society seeks a writ of mandamus declaring the action of the respondents in not entrusting the sanitation work to the members of the petitioner-Society without participating in the tenders pursuant to G.O.Ms.No.30 M.A. Municipal Administration and Urban Development (G2) Department dated 18-1-2000 as arbitrary and illegal.

In the affidavit filed in support of the writ petition, it is stated that under G.O.Ms.No.30 M.A. Municipal Administration and Urban Development (G2) Department dated 18-1-2000 the Government directed to entrust a portion of the sanitation works to the society formed by the sanitary workers union without participating in the tenders with a view to improve the efficiency in sanitation. The grievance of the petitioner-Society is that all of a sudden, on 1-4-2004 all the members of the petitioner-Society were removed from the sanitation work and the same was entrusted to some third parties. Hence, the writ petition.

The learned counsel for the petitioner-Society states that following the guidelines issued in G.O.Ms.No.30 MA, the District Collector, Kadapa, by proceedings dated 22-4-2004, instructed that the sanitation work be entrusted directly to the fifteen members of safai karmacharies, who have been working as sanitation workers in Area Hospital, Proddutur for the past four years.

Having regard to the submissions made by the learned counsel for the petitioner-Society, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition granting liberty to the petitioner-Society to file a representation before the respondents 1 to 3 to grant the

sanitation works in favour of the petitioner-Society in terms of the G.O.Ms.No.30 M.A. dated 18-1-2000. If any such representation is made by the petitioner- Society, the same shall be considered in accordance with law and appropriate orders be passed within a period of four weeks from the date of the receipt of such representation.

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02-03-2005

To

1. The Commissioner, A.P. Vydya Vidhana Parishad, Kendriya Sadan, Sultan Bazar, Hyderabad.
2. The District Coordinator & Superintendent District Head Quarter Hospital, Kadapa, Kadapa District.
3. The Medical Superintendent, Area Hospital, Andhra Pradesh Vydya Vidhana Parishad, Proddatur, Kadapa District.
4. Two C.D. copies.

Note:

CC by two days.

(Bo)

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